

104TH CONGRESS
2D SESSION

H. R. 3090

To authorize appropriations for the National Marine Sanctuaries, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 1996

Mr. FARR of California (for himself, Mr. STUDDS, Mr. ABERCROMBIE, Mr. MILLER of California, Mr. FALEOMAVAEGA, Mr. GEJDENSON, Mr. TAUZIN, Mr. GALLEGLY, Mr. GILCHREST, Mr. JONES, Mr. LONGLEY, Mr. TORKILDSSEN, Ms. WOOLSEY, Ms. LOFGREN, Ms. ESHOO, Mr. ORTIZ, Mrs. SEASTRAND, Mrs. MINK of Hawaii, Mr. RIGGS, Mrs. SMITH of Washington, Mr. GOSS, Mr. SAXTON, Mr. DEUTSCH, and Mr. CAMPBELL) introduced the following bill; which was referred to the Committee on Resources

A BILL

To authorize appropriations for the National Marine Sanctuaries, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Marine Sanc-
5 tuaries Renewal Act of 1996”.

1 **SEC. 2. REAUTHORIZATION OF THE NATIONAL MARINE**
2 **SANCTUARIES ACT.**

3 The National Marine Sanctuaries Act (16 U.S.C.
4 1431–1445a) is amended as follows:

5 (1) In subsection 311(b) (16 U.S.C. 1442(b)),
6 by adding after the first sentence the following:
7 “The Secretary may also create, or participate in the
8 creation of, nonprofit organizations to solicit dona-
9 tions to carry out the purposes and policies of this
10 title.”.

11 (2) In subsection 311(c) (16 U.S.C. 1442(c)),
12 by adding at the end of the subsection the following:
13 “The Secretary is authorized to recruit, train, and
14 accept the services of individuals without compensa-
15 tion as volunteers, and may provide for incidental
16 expenses such as transportation, uniforms, lodging,
17 and subsistence of such volunteers. The provisions of
18 16 U.S.C. 742f(c)(3)–(5) shall apply to such volun-
19 teers.”.

20 (3) In section 313 (16 U.S.C. 1444), by strik-
21 ing “and” in paragraph (3) and inserting “; and (5)
22 such sums as may be necessary for fiscal years
23 1997, 1998, 1999, and 2000” before the period.

24 (4) In section 315(e)(3) (16 U.S.C.
25 1445a(e)(3)), by adding before the period “; such
26 notice, however, need only be published locally in the

1 case of an advisory council established to provide as-
2 sistance to a particular sanctuary”.

3 (5) By adding the following new sections after
4 section 315:

5 **“SEC. 316. ENHANCING SUPPORT FOR NATIONAL MARINE**
6 **SANCTUARIES.**

7 “(a) IN GENERAL.—To augment appropriations and
8 enhance funding for the designation and management of
9 national marine sanctuaries, the Secretary is authorized
10 to develop, market, and sell symbols under this section and
11 products under section 317.

12 “(b) PROGRAM.—The Secretary’s authority under
13 this section specifically includes—

14 “(1) the creation, adoption, and publication in
15 the Federal Register by the Secretary of a symbol
16 for the national marine sanctuary program, or for
17 individual national marine sanctuaries;

18 “(2) the solicitation of persons to be designated
19 as official sponsors of the national marine sanctuary
20 program or of individual national marine sanc-
21 tuaries;

22 “(3) the designation of persons by the Sec-
23 retary as official sponsors of the national marine
24 sanctuary program or of individual sanctuaries;

1 “(4) the authorization by the Secretary of the
2 use of any symbol published under paragraph (1) by
3 official sponsors of the national marine sanctuary
4 program or of individual national marine sanc-
5 tuaries;

6 “(5) the establishment of prices and collection
7 by the Secretary of monetary and/or in-kind pay-
8 ments from official sponsors for the manufacture,
9 reproduction, or use of the symbols published under
10 paragraph (1);

11 “(6) the establishment of a special interest-
12 bearing revolving fund;

13 “(7) the retention of any monetary proceeds
14 collected under paragraph (5) by the Secretary in
15 the fund established under paragraph (6); and

16 “(8) the use of in-kind proceeds collected under
17 paragraph (5) by the Secretary, and the expenditure
18 of any amounts in the fund established under para-
19 graph (6), without appropriation, by the Secretary
20 to designate and manage national marine sanc-
21 tuaries.

22 “(c) CONTRACT AUTHORITY.—The Secretary may
23 contract with any person for the creation of symbols or
24 the solicitation of official sponsors under subsection (b).

1 “(d) RESTRICTIONS.—The Secretary may restrict the
2 use of the symbols published under subsection (b), and
3 the designation of official sponsors of the national marine
4 sanctuary program or of individual national marine sanc-
5 tuaries to ensure compatibility with the goals of the na-
6 tional marine sanctuary program.

7 “(e) PROPERTY OF THE UNITED STATES.—Any sym-
8 bol which is adopted by the Secretary and published in
9 the Federal Register under subsection (b) is deemed to
10 be the property of the United States.

11 “(f) PROHIBITED ACTIVITIES.—It is unlawful for any
12 person—

13 “(1) designated as an official sponsor to influ-
14 ence or seek to influence any decision by the Sec-
15 retary or any other Federal official related to the
16 designation or management of a national marine
17 sanctuary, except to the extent that a person who is
18 not so designated may do so;

19 “(2) to represent himself or herself to be an of-
20 ficial sponsor absent a designation by the Secretary;

21 “(3) to manufacture, reproduce, or use any
22 symbol adopted by the Secretary absent designation
23 as an official sponsor and without payment of mone-
24 tary and/or in-kind proceeds to the Secretary; or

1 “(4) to violate any regulation promulgated by
2 the Secretary under this section.

3 “(g) DEFINITION.—The term ‘official sponsor’ means
4 any person designated by the Secretary who is authorized
5 to manufacture, reproduce, or use any symbol created,
6 adopted, and published in the Federal Register under this
7 section for monetary and/or in-kind proceeds paid to the
8 Secretary.

9 **“SEC. 317. CREATION AND SALE OF NATIONAL MARINE**
10 **SANCTUARY PRODUCTS.**

11 “(a) AUTHORIZATION.—The Secretary is authorized
12 to create, market, and sell products to promote the Na-
13 tional Marine Sanctuary Program and may enter into ex-
14 clusive or nonexclusive agreements authorizing entities to
15 create, market and/or sell such products on the Secretary’s
16 behalf.

17 “(b) PROCEEDS.—The proceeds from sale of these
18 products shall be deposited in the interest bearing revolv-
19 ing fund established by section 316(b)(6).

20 “(c) EXPENDITURE.—The Secretary may expend the
21 proceeds from sale of National Marine Sanctuary products
22 deposited in the revolving fund established by section
23 316(b)(6) and interest, without appropriation, to des-
24 ignate and manage national marine sanctuaries.”.

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